

United States District Court

DISTRICT OF

FILED
IN CLERKS OFFICE

JULIAN MONTESINO
Plaintiff

APPLICATION TO PROCEED
WITHOUT PREPAYMENT OF
FEES AND AFFIDAVIT

U.S. DISTRICT COURT
DISTRICT OF MASS

v.

"I.N.S." CUSTOM SERVICE
Defendant

CASE NUMBER:

05-10319-RWZ

I, Julian Montesino

declare that I am the (check appropriate box)

☒ petitioner/plaintiff/movant

☐ other

in the above-entitled proceeding; that in support of my request to proceed without prepayment of fees or costs under 28 USC. §1915 I declare that I am unable to pay the costs of these proceedings and that I am entitled to the relief sought in the complaint/petition/motion.

In support of this application, I answer the following questions under penalty of perjury:

1. Are you currently incarcerated? ☒ Yes ☐ No (If "No" go to Part 2)

If "Yes" state the place of your incarceration MCI - Norfolk

Are you employed at the institution? YES Do you receive any payment from the institution? Yes

Attach a ledger sheet from the institution(s) of your incarceration showing at least the past six months' transactions.

2. Are you currently employed? ☐ Yes ☒ No

a. If the answer is "Yes" state the amount of your take-home salary or wages and pay period and give the name and address of your employer.

b. if the answer is "No" state the date of your last employment, the amount of your take-home salary or wages and pay period and the name and address of your last employer.

3. In the past 12 twelve months have you received any money from any of the following sources?

- | | | |
|---|------------------------------|--|
| a. Business, profession or other self-employment | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| b. Rent payments, interest or dividends | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| c. Pensions, annuities or life insurance payments | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| d. Disability or workers compensation payments | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| e. Gifts or inheritances | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| f. Any other sources | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

If the answer to any of the above is "Yes" describe each source of money and state the amount received and what you expect you will continue to receive.

AO 240 Reverse (Rev. 9/96)

4. Do you have **any** cash or checking or savings accounts?

☒ Yes

☐ No

If "Yes" state the total amount. \$ 24.63

5. Do you own any real estate, stocks, bonds, securities, other financial instruments, automobiles or any other thing of value? ☐ Yes ☒ No

If "Yes" describe the property and state its value.

6. List the persons who are dependent on you for support, state your relationship to each person and indicate how much you contribute to their support.

I declare under penalty of perjury that the above information is true and correct.

DATE

SIGNATURE OF APPLICANT

NOTICE TO PRISONER: A Prisoner seeking to proceed IFP shall submit an affidavit stating all assets. In addition, a prisoner must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

MASSACHUSETTS
DEPARTMENT OF CORRECTION
Inmate Transaction History
Summary Report

MCI NORFOLK

Inmate Name..... MONTESINO JULIAM

Commitment number.... W83813

Period encompassed.... 8/1/2004 THRU 1/31/2005

	Personal	Savings	Total
Six Month Average Daily Balance	<u>4.11</u>	<u>14.11</u>	<u>18.21</u>
20% of Six Month Average Daily Balance	<u>3.64</u>		
Total Expenditures for Period			<u>54.53</u>
Total Income for Period			<u>77.69</u>

To the best of my knowledge, the above summary information is true and accurate:

Signed Marsha Collins
MARSHA COLLINS, Treasurer

Time: 11:04 AM

Date: 2/4/05

Note: A copy of the inmate's account activity statement for the six month period ("Inmate Transaction History") is attached.

Count

COMMONWEALTH OF MASSACHUSETTS

DEPARTMENT OF CORRECTION

Inmate Transaction Report

Date : 20050204 10:29

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Commit# : W83813

MCI NORFOLK

Name : MONTESINO, JULIAN,

Statement From 20040801

Inst : MCI NORFOLK

To 20050131

Block : P-1

Cell/Bed : 1/4

Transaction Date	Type	Receipt #	Check No	Inst Name	Notes	Personal		Savings	
						Income	Expense	Income	Expense
Total Transaction before this Period :						\$90.00	\$90.00	\$66.97	\$64.48
20040811 17:04	IS - Interest	3220860		CON		\$0.00	\$0.00	\$0.00	\$0.00
20040811 17:04	IS - Interest	3220861		CON		\$0.00	\$0.00	\$0.02	\$0.00
20040908 16:51	IS - Interest	3346948		CON		\$0.00	\$0.00	\$0.00	\$0.00
20040908 23:03	PY - Payroll	3355588		CON	-20040822 To 20040828	\$0.50	\$0.00	\$0.00	\$0.00
20040908 23:03	PY - Payroll	3355589		CON	-20040822 To 20040828	\$0.00	\$0.00	\$0.50	\$0.00
20041013 16:59	IS - Interest	3512002		CON		\$0.00	\$0.00	\$0.00	\$0.00
20041013 16:59	IS - Interest	3512003		CON		\$0.00	\$0.00	\$0.00	\$0.00
20041022 14:18	AI - Adjustments	3560616		CON	-MISSING PAYROLL	\$23.00	\$0.00	\$0.00	\$0.00
20041022 14:18	AT - Account Transfer	3560617		CON	-FROM MISSING PAYROLL-W83813 MONTESINO, JULIAN SAVINGS	\$0.00	\$11.50	\$11.50	\$0.00
20041027 23:03	PY - Payroll	3581121		CON	-20041010 To 20041016	\$2.50	\$0.00	\$0.00	\$0.00
20041027 23:03	PY - Payroll	3581122		CON	-20041010 To 20041016	\$0.00	\$0.00	\$2.50	\$0.00
20041102 09:17	TI - Transfer from Institution	3599248		CON		\$0.00	\$14.50	\$0.00	\$0.00
20041102 09:17	TI - Transfer from Institution	3599251		NOR		\$0.00	\$0.00	\$17.01	\$0.00
20041102 09:17	TI - Transfer from Institution	3599249		NOR		\$14.50	\$0.00	\$0.00	\$0.00
20041102 09:17	TI - Transfer from Institution	3599250		CON		\$0.00	\$0.00	\$0.00	\$17.01
20041103 23:04	PY - Payroll	3614013		CON	-20041017 To 20041023	\$3.75	\$0.00	\$0.00	\$0.00
20041103 23:04	PY - Payroll	3614018		CON	-20041017 To 20041023	\$0.00	\$0.00	\$3.75	\$0.00
20041103 23:04	TI - Transfer from Institution	3614017		NOR	-Associate Receipt Number is 3614013	\$0.00	\$0.00	\$3.75	\$0.00
20041103 23:04	TI - Transfer from Institution	3614016		CON	-Associate Receipt Number is 3614013	\$0.00	\$0.00	\$0.00	\$3.75
20041103 23:04	TI - Transfer from Institution	3614014		CON	-Associate Receipt Number is 3614013	\$0.00	\$3.75	\$0.00	\$0.00
20041103 23:04	TI - Transfer from Institution	3614015		NOR	-Associate Receipt Number is 3614013	\$3.75	\$0.00	\$0.00	\$0.00
20041110 16:47	IS - Interest	3657533		NOR		\$0.00	\$0.00	\$0.00	\$0.00
20041110 16:47	IS - Interest	3657534		NOR		\$0.00	\$0.00	\$0.01	\$0.00
20041110 23:05	PY - Payroll	3664754		CON	-20041024 To 20041030	\$3.75	\$0.00	\$0.00	\$0.00
20041110 23:05	TI - Transfer from Institution	3664755		CON	-Associate Receipt Number is 3664754	\$0.00	\$3.75	\$0.00	\$0.00
20041110 23:05	TI - Transfer from Institution	3664757		CON	-Associate Receipt Number is 3664754	\$0.00	\$0.00	\$0.00	\$3.75
20041110 23:05	TI - Transfer from Institution	3664758		NOR	-Associate Receipt Number is 3664754	\$0.00	\$0.00	\$3.75	\$0.00
20041110 23:05	PY - Payroll	3664759		CON	-20041024 To 20041030	\$0.00	\$0.00	\$3.75	\$0.00
20041110 23:05	TI - Transfer from Institution	3664756		NOR	-Associate Receipt Number is 3664754	\$3.75	\$0.00	\$0.00	\$0.00

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF CORRECTION
Inmate Transaction Report**

Date : 20050204 10:29

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Commit# : W83813 MCI NORFOLK
 Name : MONTESINO, JULIAN, Statement From 20040801
 Inst : MCI NORFOLK To 20050131
 Block : P-1
 Cell/Bed : 1/4

Transaction Date	Type	Receipt #	Check No	Inst Name	Notes	Personal		Savings	
						Income	Expense	Income	Expense
20041122 09:42	IC - Transfer from Inmate to Club A/c	3707408		NOR	-HAIRCUT REVENUE - Z3-HAIRCUT REVENUE - Z3	\$0.00	\$1.50	\$0.00	\$0.00
20041129 22:30	CN - Canteen	3737223		NOR	-Canteen Date : 20041129	\$0.00	\$5.45	\$0.00	\$0.00
20041207 17:01	IS - Interest	3790481		NOR		\$0.04	\$0.00	\$0.00	\$0.00
20041207 17:01	IS - Interest	3790482		NOR		\$0.00	\$0.00	\$0.05	\$0.00
20041209 22:30	CN - Canteen	3810779		NOR	-Canteen Date : 20041209	\$0.00	\$8.04	\$0.00	\$0.00
20041216 22:30	CN - Canteen	3846890		NOR	-Canteen Date : 20041216	\$0.00	\$2.86	\$0.00	\$0.00
20041222 22:30	CN - Canteen	3869104		NOR	-Canteen Date : 20041222	\$0.00	\$3.18	\$0.00	\$0.00
20050113 17:07	IS - Interest	3991368		NOR		\$0.01	\$0.00	\$0.00	\$0.00
20050113 17:07	IS - Interest	3991369		NOR		\$0.00	\$0.00	\$0.06	\$0.00
						\$55.55	\$54.53	\$46.65	\$24.51

Balance as of ending date :

Personal	Savings
\$1.02	\$24.63

Current Balances :

Personal	Savings	Freeze	Loan	Restitution	Sentence
\$1.02	\$24.63	\$0.00	\$0.00	\$0.00	\$0.00